

(2) THE FAILURE TO GRANT OVERTIME COMPENSATION TO AN ELIGIBLE EMPLOYEE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 89, § 27(a) and the second sentence of § 27(c).

Subsection (a) of this section is rephrased to clarify that overtime compensation may be in the form of either monetary payment or compensatory time.

In subsection (b)(1) of this section, the former reference to "unwarranted" overtime is deleted as unnecessary in light of the broad reference to "unnecessary" overtime.

Defined term: "Secretary" § 1-101

6-304. REGULAR HOURLY PAY RATE.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN EMPLOYEE'S REGULAR HOURLY RATE OF PAY IS COMPUTED FOR PURPOSES OF THIS SUBTITLE BY DIVIDING THE EMPLOYEE'S TOTAL REGULAR WEEKLY PAY BY THE TOTAL NUMBER OF HOURS IN THE EMPLOYEE'S NORMAL WORKWEEK.

(B) CERTAIN HEALTH CARE EMPLOYEES.

THE REGULAR HOURLY RATE OF PAY FOR AN EMPLOYEE OF A HOSPITAL OR DOMICILIARY CARE FACILITY FOR THE ILL, AGED, OR DISABLED MAY BE COMPUTED FOR PURPOSES OF THIS SUBTITLE BY DIVIDING THE EMPLOYEE'S TOTAL REGULAR 2-WEEK PAY BY THE TOTAL NUMBER OF HOURS IN THE EMPLOYEE'S NORMAL 2-WEEK WORK PERIOD.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 89, § 27(a)(2) and the first and third sentences of § 27(a)(3).

The phrase "for purposes of this subtitle" is added for clarity.

6-305. PAYMENT REQUIRED.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION:

(1) PAYMENT FOR EACH HOUR WORKED IN EXCESS OF AN EMPLOYEE'S NORMAL WORKWEEK BUT NOT IN EXCESS OF 40 HOURS IN THAT WORKWEEK SHALL BE MADE AT THE EMPLOYEE'S REGULAR HOURLY RATE OF PAY; AND

(2) PAYMENT FOR EACH HOUR WORKED IN EXCESS OF 40 HOURS IN A WORKWEEK SHALL BE MADE AT ONE AND ONE-HALF TIMES THE EMPLOYEE'S REGULAR HOURLY RATE OF PAY.